

09-04-01

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JC893 U.S. PTO  
08/31/01

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JC821 U.S. PTO  
09/943944  
08/31/01

August 31, 2001

BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

**Express Mail No.: EL674751309US**  
**Attorney Docket No.: 0342941-0015**  
**Date Filed: August 31, 2001**

**UTILITY PATENT APPLICATION TRANSMITTAL**

(for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Dear Sir:

Please find enclosed a patent application and papers as follows for:

**Inventor(s):**

Given Name (first and middle)      Family Name or Surname      Residence

Mark	Ptashne	Cambridge, MA
Xiangyang	Lu	Somerville, MA
Yibing	Wu	Wellesley, MA

**Title of the Invention:** TRANSCRIPTIONAL ACTIVATION SYSTEM, ACTIVATORS, AND  
USES THEREFOR

**A) APPLICATION ELEMENTS:**

- 1)   X   **Fee Transmittal Form** (original and duplicate submitted for fee processing)
- 2)   X   **Applicant Claims Small Entity Status** (see 37 CFR 1.27)
  - a)   X   **Statement Verifying Small Entity Status** (optional) 3 pp.  
(statements as filed in 08/850,127)

3) X **Specification**

TOTAL PAGES: 58

(44 pp. specification, 4 pp. claims, 9 sheets of drawings, 1 pg. abstract)

- Descriptive Title of the Invention
- Related Application
- Government Support
- Background of the Invention
- Summary of the Invention
- Description of the Drawings
- Description of Preferred Embodiments
- Other Embodiments
- Examples
- Claim(s)
- Abstract

4) X **Drawing(s)** (35 U.S.C. § 113)

TOTAL SHEETS: 9

- a)      Formal Drawings (if checked)

5) X **Oath or Declaration**

TOTAL PAGES: 5

- a)      Newly Executed (original or copy)
- b) X Copy from a prior application (37 C.F.R. § 1.63(d))-for continuation/divisional application
- i)      Deletion of inventor(s): Signed Statement deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
- c)      Unexecuted

6)      **Application Data Sheet**. See 37 CFR § 1.76.

7)      **CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)**

8)      **Nucleotide and/or Amino Acid Sequence Submission** (if applicable, all are necessary)

- a)      Computer Readable Form (CRF)
- b)      Specification Sequence Listing on:
- i)      CD-ROM or CR-R (2 copies); or
- ii)      Paper

c) ☐ Statements verifying identity of above copies

B) ACCOMPANYING APPLICATION PARTS:

- 9) ☐ **Assignment Papers** (cover sheet & document(s))
- 10) ☐ **37 C.F.R. § 3.73(b) Statement** (when there is an assignee)
- 11) ☐ **Power of Attorney**
- 12) ☐ **English Translation Document** (if applicable)
- 13) ☐ **Information Disclosure Statement (IDS)/PTO-1449**
- 14) ☐ **Copies of IDS Citations** (copies provided in parent application 09/448,256)
- 15) ☐ **Preliminary Amendment** (☐ pp.)
- 16) ☒ **Return Receipt Postcard (MPEP 503)** (specifically itemized)
- 17) ☐ **Certified Copy of Priority Document(s)** (if foreign priority is claimed)
- 18) ☐ **OTHER:** (if applicable, specified below)

C) FOR CONTINUING APPLICATIONS: (the appropriate box is checked, and certain information is provided below and in the preliminary amendment)

☒ CONTINUATION ☐ DIVISIONAL ☐ CONTINUATION-IN-PART (CIP)

OF PRIOR APPLICATION NO: 08/850,127

FILED: MAY 1, 1997

EXAMINER: T. McELVEY

GROUP/ART UNIT: 1636

**FOR CONTINUATION OR DIVISIONAL APPLICATIONS ONLY:** THE ENTIRE DISCLOSURE OF THE PRIOR APPLICATION, FROM WHICH AN OATH OR DECLARATION IS SUPPLIED AS DETAILED ABOVE, IS CONSIDERED A PART OF THE DISCLOSURE OF THE ACCOMPANYING CONTINUATION OR DIVISIONAL APPLICATION AND IS HEREBY INCORPORATED BY REFERENCE.

D.) PRIORITY CLAIM(S):

This application claims the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below:

08/850,127	May 1, 1997	pending
Application Number	Filing Date	Status
Application Number	Filing Date	Status
Application Number	Filing Date	Status

PCT Applications designating the United States:

Application Number	Filing Date	Status
PCT/US97/07338	May 2, 1997	Pending

This application claims the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application(s):

Application Number	Filing Date	Status
60/017,016	May 3, 1996	expired

E) METHOD OF PAYMENT OF FILING FEES FOR THIS APPLICATION:

☒ Applicant claims small entity status 37 CFR § 1.27; a copy of the Small Entity Statement from the parent application, 08/850,127 (3 pp), is enclosed.

☐ A check is enclosed to cover the filing fees as determined on the fee transmittal enclosed herewith

☒ The commissioner is hereby authorized to charge filing fees or credit any overpayment to deposit account number 03-1721.

Total filing fee amount \$ 3355.00

F) CORRESPONDENCE ADDRESS:

X Customer Bar Code Label:



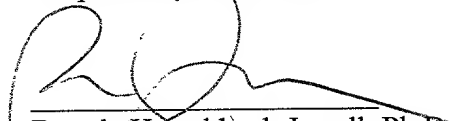
24280

PATENT TRADEMARK OFFICE

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Respectfully Submitted,

  
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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 355.00

## Complete if Known

Application Number  
Filing Date August 31, 2001  
First Named Inventor Ptashne  
Examiner Name  
Group Art Unit  
Attorney Docket No. 0342941-0015

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 03-1721  
Deposit Account Name

- ☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 355

### 2. EXTRA CLAIM FEES

Total Claims  - 20\*\* =  X  =   
Independent Claims  - 3\*\* =  X  =   
Multiple Dependent  =

Large Entity Code	Large Entity Fee (\$)	Small Entity Code	Small Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type) Brenda Henschbach Jarman  
Registration No. 39,223  
Telephone 617-248-5175  
Signature  
Date

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231